**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

PRESENT:-

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

**W.P.(C).No.26696 of 2006(C)**

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PETITIONER:-

A.P.NARAYANAN,
BRANCH MANAGER,
PAYYANNUR SERVICE CO-OPERATIVE BANK, MAIN ROAD,
PAYYANNUR, P.O.PAYYANNUR, KANNUR DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:-

1. STATE OF KERALA,
   REPRESENTED BY SECRETARY TO GOVERNMENT,
   DEPARTMENT OF CO-OPERATION,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
   THIRUVANANTHAPURAM.

3. THE JOINT REGISTRAR,
   CO-OPERATIVE SOCIETIES, KANNUR.

4. PAYYANNUR SERVICE CO-OP. BANK,
   MAIN ROAD, PAYYANNUR,
   REP. BY THE SECRETARY,
   PAYYANNUR SERVICE CO-OP. BANK,
   MAIN ROAD, PAYYANNUR, KANNUR DISTRICT.

R1 TO R3 BY SENIOR GOVERNMENT PLEADER SRI.P.K.RAVIKRISHNAN.
R4 BY ADV. SRI.M.SASINDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

**APPENDIX**

PETITIONER'S EXHIBITS:-
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EXT.P1 - TRUE COPY OF REPRESENTATION DATED 2.3.2004.

EXT.P2 - TRUE COPY OF RESOLUTION DATED 23.2.2004.

EXT.P3 - TRUE COPY OF LETTER DATED 30.3.2005 ISSUED BY 2ND RESPONDENT.

EXT.P4 - TRUE COPY OF LETTER DATED 20.4.2005 ISSUED BY JOINT REGISTRAR.

EXT.P5 - TRUE COPY OF SENIORITY LIST OF THE BANK.

EXT.P6 - TRUE COPY OF THE ORDER DATED 21.9.1996.

EXT.P7 - TRUE COPY OF ORDER DATED 28.3.2005.

EXT.P8 - TRUE COPY OF ORDER DATED 28.5.2005.

EXT.P9 - TRUE COPY OF JUDGMENT DATED 18.11.2005 IN W.P.(C).22651/2005.

EXT.P10 - TRUE COPY OF MEMORANDUM OF APPEAL TOGETHER WITH PETITION FOR CONDONATION OF DELAY DATED 19.9.2006 FILED BY THE PETITIONER BEFORE THE GOVT.

EXT.P11 - TRUE COPY OF THE APPEAL DATED 14.9;.2006 FILED BY THE BANK BEFORE THE 1ST RESPONDENT.

RESPONDENT'S EXHIBITS: NIL.

- TRUE COPY -

**K.Padmanabhan Nair,J.**

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W.P.(C).No.26696 of 2006-C

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Dated, this the 23rd day of February, 2007

**JUDGMENT**

The challenge in this writ petition is against Exhibit P3 order by which the petitioner was informed that he is not entitled to relaxation of educational qualifications. It is admitted that the petitioner has filed an appeal, Exhibit P10, before the Government under Section 83(1)(j) of the Kerala Co-operative Societies Act and the same is pending. In this circumstance, it is open to the petitioner to pursue the alternative remedy available to him under law.

In the result, the writ petition is disposed of with a direction to the 1st respondent to hear and dispose of Exhibit P10 appeal which is stated to have been filed by the petitioner as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment. It is open to the petitioner to approach the appellate authority and seek appropriate interim orders.

K.Padmanabhan Nair
Judge

vku/-